

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CATHERINE V. SIKORSKI AND JOHN SIKORSKI

X

Plaintiffs,

-against-

PLAINTIFFS' RESPONSE TO
FULTON DEFENDANTS'
DOCUMENT DEMAND

FULTON CHEVROLET-CADILLAC CO., INC.,
FULTON CHEVROLET CO., INC., HIGH POINT
CHEVROLET, INC., FULTON/HIGH POINT
CHEVROLET GROUP HEALTH BENEFIT
PROGRAM, SIEBA, LTD., and JOHN DOES
"1" through "3", WHOSE IDENTITIES ARE
CURRENTLY UNKNOWN,

07 Civ 3906 (CLB)(LMS)

Defendants.

FULTON CHEVROLET-CADILLAC CO., INC.,
HIGHPOINT CHEVROLET, INC. and FULTON/
HIGH POINT CHEVROLET GROUP HEALTH
BENEFIT PROGRAM ("the Plan"),

X

Third-Party Plaintiffs,

-against-

THE ANCHOR GROUP AND KEN HUTCHINGS,

Third-Party Defendants.

X

Plaintiffs Catherine V. Sikorski and John Sikorski, by their attorneys Rider, Weiner & Frankel, P.C., respond to the Fulton Defendants' document demand as follows:

Demand No. 1:

With regard to all documents referred to in response to paragraphs "3", "6", "9", "12" and "13" of Fulton Defendants/Third Party Plaintiffs First Set of Interrogatories dated October 9, 2007, provide a full and complete copy of each document. If any such document is included in plaintiffs Rule 26(A) Disclosure, identify the document by Bate Stamp Number.

Response:

Documents in plaintiffs' possession which refer or relate to medical treatment and/or benefits provided to, denied or paid on behalf of Catherine V. Sikorski include, without limitation, all documents furnished under plaintiffs' Rule 26 Initial Disclosure, Bates Stamped 0000001 - 0000747; documents responsive to Interrogatory No. 6 include without limitation 0000015, 0000016, 0000064 - 0000069, 0000139 - 0000143, 0000145 - 0000146, 0000544 and 0000644; documents responsive to Interrogatory No. 9 include without limitation 0000549 and 0000710; documents responsive to Interrogatory No. 12 include without limitation 0000070; and documents responsive to Interrogatory No. 13 include without limitation 0000001 - 0000747.

Demand No. 2:

Provide each and every document which refers or relates to plaintiffs' attempts to obtain payments for benefits it is claimed are owed pursuant to the Plan.

Response:

All documents which refer or relate to plaintiffs attempts to obtain payments for benefits owed pursuant to the plan are included in the documents under plaintiffs' Rule 26(A) Initial Disclosure, Bates Stamped 0000001 - 0000747.

Demand No. 3:

Provide each and every document which refers or relates to plaintiffs communication including, but not limited to, notes, emails, memoranda, diaries, and correspondence with MultiPlan.

Response:

All documents which refer or relate to plaintiffs' communications regarding attempts to obtain payments for benefits owed pursuant to the plan are included, without limitation, in the documents under plaintiffs' Rule 26(A) Initial Disclosure, Bates Stamped 0000001 - 0000747. However, plaintiff did not directly deal with MultiPlan other than a conversation with Mr. Gerard Goodwin.

Demand No. 4:

Provide each and every document which refers or relates to plaintiffs' communication, including, but not limited to, notes, emails, memoranda, diaries and correspondence with Sieba, Ltd.

Response:

All documents which refer or relate to plaintiffs' communication with Sieba, Ltd. are included, without limitation, in the documents under plaintiffs' Rule 26(A) Initial Disclosure, Bates Stamped 0000001 - 0000747.

Demand No. 5:

Provide each and every document which refers or relates to plaintiffs' communication, including, but not limited to, notes, emails, memoranda, diaries and correspondence with Horizon Blue Cross/Blue Shield.

Response:

All documents which refer or relate to plaintiffs' communications regarding attempts to obtain payments for benefits owed pursuant to the plan are included, without limitation, in the documents under plaintiffs' Rule 26(A) Initial Disclosure, Bates Stamped 0000001 - 0000747.

Demand No. 6:

Provide each and every document which refers or relates to plaintiffs' communication, including, but not limited to, notes, emails, memoranda, diaries and correspondence with Avemco Insurance Company.

Response:

All documents which refer or relate to plaintiffs' communications regarding attempts to obtain payments for benefits owed pursuant to the plan are included, without limitation, in the documents under plaintiffs' Rule 26(A) Initial Disclosure, Bates Stamped 0000001 - 0000747. However, plaintiffs did not directly deal with Avemco Insurance Company.

Demand No. 7:

Provide each and every document which refers or relates to plaintiffs' communication including, but not limited to, notes, emails, memoranda, diaries and correspondence with the Fulton Defendants.

Response:

All documents which refer or relate to plaintiffs' communications regarding attempts to obtain payments for benefits owed pursuant to the plan are included, without limitation, in the documents under plaintiffs' Rule 26(A) Initial Disclosure, Bates Stamped 0000001 - 0000747.

Demand No. 8:

Provide each document which refers or relates to claims for medical care and treatment for Catherine Sikorski including but not limited to preauthorization, invoices, statements, requests for payments, correspondence, explanation of benefits forms, accounting reports, memoranda, diaries and notes.

Response:

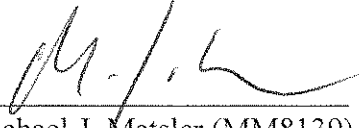
All documents which refer or relate to claims for medical care and treatment as described in Demand No. 8 above are included, without limitation, in the documents under plaintiffs' Rule 26(A) Initial Disclosure, Bates Stamped 0000001 - 0000747.

Plaintiffs reserve the right to supplement their answers to the above interrogatories as information and records may become available.

Dated: November 21, 2007
New Windsor, NY

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By:


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STATE OF NEW YORK)
)SS.:
COUNTY OF ORANGE)

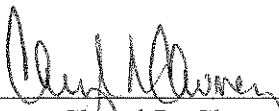
Cheryl R. Churney, being duly sworn, deposes and says:

On November 21st, 2007, I served the within Plaintiffs' Response to Fulton Defendants' First Set of Interrogatories, via first class mail, by depositing a true copy thereof, enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the United States Postal Service within New York State, addressed to the following person at the last known address:

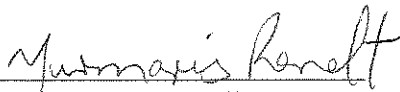
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Cheryl R. Churney

Sworn to before me this
21st day of November, 2007.


Notary Public

YURMARIS RENELT
Notary Public - State of New York
01RE6137275
Qualified in ORANGE County
My Comm. Expires NOVEMBER 21, 2009